

**Notice of Allowability**

Application No.

10/622,058

Examiner

Calvin L. Hewitt II

Applicant(s)

LINEHAN, MARK

Art Unit

3621

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications with Applicant's Atty on 4-20-07 and 4-24-07.
2. ☒ The allowed claim(s) is/are 1,2,4,15-18,24-29,55-58 and 61.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 1-8-04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert W. Griffith on 24 April 2007.

2. Claims 1, 2, 4, 15-18, 24-29, 55-58 and 61 have been examined.
3. The Application has been amended as follows-  
Claim 60 has been canceled.  
55. (Currently amended) A method of operating a four party payment protocol in accordance with a gateway associated with an issuing bank, the method comprising the steps of:  
receiving at the gateway, from a computer of a consumer,  
information associated with the consumer computer and a merchant  
message from a computer of a merchant with which the consumer is  
engaging in a transaction, the merchant message comprising a wallet  
initiation message

comprising a payment amount, an order description, a merchant identifier and a timestamp;

receiving at the gateway, from the issuing bank, a reference number, the reference number having been created by the issuing bank and representing a credit card number or a debit card number of the consumer, the issuing bank maintaining a table of credit card numbers or debit card numbers and corresponding reference numbers wherein the consumer's card number is paired with the reference number;

verifying at the gateway an account of the consumer and ensuring that at least one of funds and credit support the payment; and

authorizing payment by sending an authorization token, the authorization token comprising the payment amount, the order description, the merchant identifier, the timestamp, and the reference number, wherein the merchant's computer receives the authorization token, initiates fulfillment of the order description, and sends a capture request message comprising the reference number, ~~for receipt by an~~ to an acquirer bank;

wherein the acquirer bank captures the transaction and disburses payment to the merchant; and further

wherein the issuing bank, in response to a message from the acquirer bank, converts the reference number into the consumer's credit or debit card number and applies the payment amount to a balance in the account of the consumer.

61. (Currently amended) A method of operating a four party payment protocol in accordance with a computer of a merchant, the method comprising the steps of:

sending a message from the merchant computer to a computer of a consumer with which the merchant computer is engaging in a transaction, the merchant message comprising a wallet initiation message, the wallet initiation message comprising a payment amount, an order description, a merchant identifier and a timestamp, wherein the merchant message is sent to a gateway associated with an issuing bank, via the consumer computer, along with information associated with the consumer computer;

receiving at the merchant computer an authorization token sent by the gateway after the gateway has verified an account of the consumer and ensured that at least one of funds and credit support the payment amount, the authorization token comprising the payment amount, the order description, the merchant identifier, the timestamp, and a reference

number, the reference number having been created by the issuing bank and representing a credit card number or a debit card number and corresponding reference numbers wherein consumer's card number is paired with the reference number;

initiating fulfillment of the order description at the merchant computer; and

sending from the merchant computer to an acquirer bank, a capture request message comprising the reference number,

wherein the acquirer bank captures the transaction and disburses payment to the merchant; and further

wherein the issuing bank, in response to a message from the acquirer bank, converts the reference number into the consumer's credit or debit card number and applies the payment amount to a balance in the account of the consumer.

#### ***Reasons for Allowance***

4. Claims 1, 2, 4, 15-18, 24-29, 55-58 and 61 have been allowed.

5. The present invention is directed to electronic commerce. Obtaining goods and services using a payment card is old and well known. For example, Gorog (US 4,947,028) teaches ordering goods and services at a terminal using a credit card ('028, figure 1; column 4/22-5/2) wherein credit card and order data are transmitted over a network for authorization and order fulfillment, respectively ('028, column 6, lines 30-36). Elgamal (US 5,671,279) teaches an electronic commerce protocol comprising a client computer, a merchant computer and a gateway ('279, figures 1 and 2). Elgamal also teaches encrypting a credit card number and transaction information for transmission between client, merchant and gateway ('279, column 4, lines 33-36 and 60-64). Payne et al. (US 5,715,314) teach using a credit or debit card reference for completing a transaction ('314, column 7, lines 14-31) while Walker et al. (US 6,163,771) teach a database at an issuing bank that pairs a user credit or debit card number with corresponding reference numbers ('771, figure 13) and using a reference number from the database to make a purchase ('771, figures 9A and B). However, the prior art does not teach or fairly suggest, singly or in combination, requesting a card issuer gateway to authorize a transaction between a consumer and a merchant using *a wallet initiation message comprising a payment amount, an order description, a merchant identifier and a timestamp*, and authorizing the transaction by the gateway by sending an *authorization token comprising a*

*reference* to the merchant, wherein the reference represents the consumer's credit or debit card.

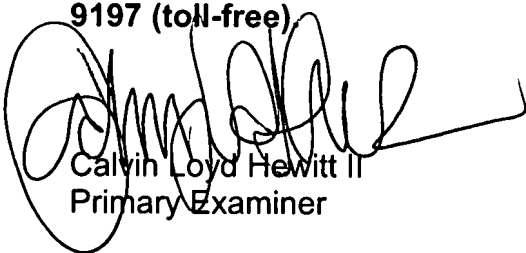
### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
  - "Tech Bytes: Cybercash Distribution Deal with Canadian Bank"  
American Banker, June 10, 1996, v 161, issue 110, p16
  - Horie teaches making purchases of the internet using a user ID instead of a credit card number
7. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (571) 272-6709. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Fischer, can be reached at (571) 272-6779.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free)



Calvin Lloyd Hewitt II  
Primary Examiner

April 24, 2007